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A limited liability partnership formed in the State of Delaware

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Attorneys for Plaintiff
Walker & Zanger, Inc.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

WALKER & ZANGER, INC., a New York
corporation

Plaintiff,

vs.

PARAGON INDUSTRIES, INC., d/b/a
BEDROSIANS, a California corporation

Defendant.

No. C-04-01946-VRW

**STIPULATION AND ~~PROPOSED~~
ORDER CONTINUING HEARING DATE
FOR DEFENDANT'S MOTION FOR
SUMMARY JUDGMENT AND MOTION
TO EXCLUDE EXPERT TESTIMONY OF
HENRY OSTBERG AND PLAINTIFF'S
MOTION TO EXCLUDE TESTIMONY OF
EXPERT TRAVIS CULWELL**

1 On March 2, 2006, the Court sent a "Clerk's Notice" notifying all parties that
2 Defendant's Motion for Summary Judgment and Motion to Strike Surveys of Henry Ostberg, Ph.D.
3 as well as Plaintiff's Motion to Exclude Testimony of Expert Travis Culwell would be rescheduled
4 to May 18, 2006 at 2 p.m.

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6 On March 31, 2006, counsel for Defendant, Paragon Industries, Inc. ("Paragon"), I
7 Braun Degenshein, became very ill and ultimately had to be admitted to the Emergency Room at
8 Kaiser Permanente Hospital in Oakland on April 2, 2006. Due to further complications, Mr.
9 Degenshein had to undergo surgery on Monday April 10, 2006. Mr. Degenshein has requested a one
10 month continuance for the hearing date on the above-mentioned motions from Plaintiff's counsel,
11 William Overend, and such request was granted.

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13 Accordingly, the parties have agreed to stipulate to continuing the hearing date for
14 Defendant's Summary Judgment Motion and the Motion to Strike Surveys of Henry Ostberg, Ph.D.
15 and Plaintiff's Motion to Exclude Testimony of Expert Travis Culwell to **June 22, 2006 at 2 p.m.** in
16 Courtroom 6, on the 17th Floor, 450 Golden Gate Avenue, San Francisco, California. The parties
17 note that this continuance will not affect pretrial or trial dates in this case, as such dates are presently
18 vacated.

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DATED: April 11, 2006.

REED SMITH LLP

By /s/
William R. Overend
Attorneys for Plaintiff
Walker & Zanger, Inc.

DATED: April 11, 2006.

JORA TRANG

By /s/
Jora Trang, acting on behalf of I Braun
Degenshein
Attorneys for Defendant
Paragon Industries, Inc.

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: April 19, 2006

